

STATE OF SOUTH CAROLINA

(Caption of Case)

Lakeview Retirement Community LLC

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

RECEIVED
FEB 13 2020
PSC SC
MAIL / DMS

DOCKET
NUMBER: 2020 - 61 - E

(Please type or print) Submitted by: Sara Pendarvis Bazemore

SC Bar Number: 73605

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☒ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input checked="" type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input checked="" type="checkbox"/> Application	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input checked="" type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input checked="" type="checkbox"/> Other: Exception	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

Print Form

Reset Form

**D'ALBERTO
& GRAHAM**

ATTORNEYS & ADVISORS

140 STONERIDGE DRIVE

SUITE 670

COLUMBIA, SC 29210

803.764.3919

The Honorable Jocelyn Boyd
Chief Clerk/Executive Director
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Request for Exception to Commission Regulation 103-327.A. for Lakeview Retirement Community LLC

Dear Ms. Boyd,

On behalf of our client, Lakeview Retirement Community LLC, please find a request for an Order attached to this letter. We respectfully request that the Public Service Commission issue an Order approving an exception, in accordance with S.C. Code Regs. Ann. § 103-327.B., to the individual metering requirement under S.C. Code Regs. Ann. § 103-327.A. upon a determination that the individual metering requirement is impractical and unreasonable for Lakeview Retirement Community.

Our electric utility service provider, Dominion Energy of South Carolina, does not object to this request. Further, upon the suggestion of Mr. Jeffery Nelson, Chief Legal Officer for the S.C. Office of Regulatory Staff, we would appreciate your expedited review of this request. Thank you for your time and attention to this request. I look forward to hearing from you.

Sincerely,



Sara Pendarvis Bazemore

cc: Derek Zimmerman
Jeffery M. Nelson, Esquire
(all via Electronic Mail and First Class U.S. Mail)
Dominion Energy of South Carolina (hardcopy only)

STATE OF SOUTH CAROLINA)	BEFORE THE
)	PUBLIC SERVICE COMMISSION
)	OF SOUTH CAROLINA
Lakeview Retirement Community LLC)	REQUEST FOR ORDER
)	APPROVING EXCEPTION TO
)	R.103-327.A.

We represent Lakeview Retirement Community LLC (Petitioner). For the reasons set forth herein, we respectfully request that the Public Service Commission (Commission) issue an Order approving an exception, in accordance with S.C. Code Regs. Ann. § 103-327.B., to the individual metering requirement under S.C. Code Regs. Ann. § 103-327.A. upon a determination that in this instance the individual metering requirement is impractical and unreasonable for the Lakeview Retirement Community.

Statement of Facts

1. Lakeview Retirement Community LLC (Petitioner) is incorporated in the State of Nebraska and licensed to do business in the State of South Carolina.
2. Petitioner is constructing Lakeview Retirement Community in Lexington County, South Carolina at the corner of Bush River Road and Lake Murray Boulevard (Premises or Project).
3. The Premises, currently under construction, are a new multi-occupancy, 130 unit residential, independent living facility for residents aged 55 and above.
4. The Premises are comprised of one building with common areas and living units. The building design consists of two wings comprised of resident living suites situated around a core area at the center of the building with living suites and extensive common areas. The core area houses dining facilities that provide dining on demand to our residents, a coffee bar/pub, and concierge services, among other amenities. The common areas further include an open dining room with skylights and exposed trusses, an extensive fitness center, a full size 150-seat theater, an in-house bank, pharmacy, massage therapist, beautician/barber shop, and a game

room. Overall, the core and common areas make up approximately 40% of the entire facility.

5. The Project utilizes a bundled rental arrangement where residents will be charged a flat monthly rental rate that includes all utilities except personal telephone. In addition to utilities, the monthly rent includes all meals, weekly housekeeping, emergency response system, events and entertainment in the state of the art theater, scheduled transportation, valet service, free laundry facilities located on each floor, exercise room with supervision by a personal fitness trainer. The shared costs for the common areas, relative transitory occupancy of the residents, and all-inclusive nature of the rental arrangement between the Project and its residents, makes individual metering impractical.
6. The Project is presently designed for a single-meter concept of energy monitoring and to show compliance with the Energy Conservation Code.
7. Substantial redesign and additional cost would be required for modification to individual unit metering.
8. To require compliance with R.103-327.A. would be impractical, unreasonable and economically unfeasible and present an added difficulty for residents.

Rules and Regulations

R.103-327 of the Commission's Rules and Regulations provides:

- A. All service delivered to new multi-occupancy residential premises at which units of such premises are separately rented, leased or owned shall be delivered by an electrical utility on the basis of individual meter measurement for each dwelling.
- B. Any exception to the provisions of paragraph A., supra, must be approved by the commission upon its determination that individual metering to such premises is impractical and unreasonable.
- C. Service to structures for which permits were issued or construction started prior to January 23, 1981, shall not be affected by the provisions contained herein.
- D. Commercial premises with master metered service established prior to October 31, 1980, which are later converted to residential use shall not be affected by provisions contained herein.

Specific Relief Sought

We respectfully request that the Public Service Commission issue an Order approving an exception, in accordance with S.C. Code Regs. Ann. § 103-327.B., to the individual metering requirement under S.C. Code Regs. Ann. § 103-327.A. upon a determination that the individual metering requirement is impractical and unreasonable for Lakeview Retirement Community.



(Authorized Representative)
Sara Pendarvis Bazemore
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Adams, Hope

From: Megan Briscoe <Megan.briscoe@dalbertograham.com>
Sent: Thursday, February 13, 2020 10:14 AM
To: PSC_Contact
Cc: Nelson, Jeff; Derek Zimmerman; Sara Bazemore
Subject: [External] Request for Exception
Attachments: PSC Request Cover Letter.pdf; PSC Docket Cover Sheet.pdf; PSC Petition.pdf

Good Morning,

On behalf of our client, Lakeview Retirement Community LLC, please find the following documents regarding a request for an exception under S.C. Code Regs. Ann. § 103-327.A:

- 1) Cover Letter;
- 2) Docket Cover Sheet; and
- 3) Petition.

Thank you for your attention to this request and we look forward to hearing from you.

Megan R. Briscoe
 Paralegal

D'Alberto & Graham

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 O (803) 764-3919 F (803) 828-7425

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